IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 14543 of 1999

Between:

Paladugu Satyanarayana S/o.Seeta Ramaiah
R/o.H.No.40-613-9,Coop.Bank Colony Vijayawada
Krishna District.

..... PETITIONER

AND

1 High Court of A.P Rep.by its Registrar (Adm.)
Hyderabad.
2 The District Judge
Krishna District at Machilipatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more fully in the nature of Writ of

Mandamus declaring the action of the 2nd respondent in issuing proceedings No.1/98, dt.28-8-98, as confirmed by the order of the 1st respondent in Roc.No.189/98, CII/1, dt.22-4-99, as illegal, improper, arbitrary, violative of Art.14 of the Constitution of India and consequently direct the respondents to set aside the same and reinstate the petitioner with all consequential benefits and pass such other order or orders.

Counsel for the Petitioner : MR.NUTY RAM MOHAN RAO

Counsel for the Respondents : MR.C.V.NAGARJUNA REDDY, Standing Counsel for High Court.

The Court made the following :

ORAL ORDER:

(per Hon'ble The Chief Justice)

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1. Petitioner questioned the order of compulsory retirement imposed on him and also rejection of his appeal.

2 . Petitioner was working as Bench Clerk and departmental proceedings were initiated for having falsified the Court records. Enquiry revealed that petitioner had falsified the Court records and he had made interpolations in Court diary and made false entries in the diary and C.R.No.4 as if the Magistrate examined the accused under Section 313 Cr.P.C., heard arguments and pronounced judgment acquitting the accused. Enquiry further found that the petitioner facilitated the accused in C.C.No.28 of 1993 from facing further proceedings of the Court and probable conviction. Petitioner was found to have forged Court records and resorted to falsification of valuable public documents deliberately. It was also found that petitioner was not a raw candidate. He had put in more than 20 years of service in various

Courts. Knowing fully well the consequences of misconduct, he had resorted to an act which was not pardonable. The disciplinary authority considered the representation of the petitioner and rejected the same. Even on considering the question that petitioner had put in 20 years of service and got unmarried daughters and sons, it is not a fit case where leniency deserves to be shown. We do not find any substance in the writ petition, which is liable to be dismissed.

3. In the result, writ petition is dismissed. No costs.

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DEVINDER GUPTA. C.J.,

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C.V. RAMULU. J.,

Dated: 17.11.2004.

VRK.

To

1 The Registrar (Administration),
High Court of A.P., Hyderabad.
2 The District Judge,
Krishna District at Machilipatnam.

3. The Officer concerned, Legal Cell, High Court of A.P., Hyderabad.

4. Two CD copies.